

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Taylor Truck Lines, Inc.,

Civil No. 11-459 (PAM/SER)

Plaintiff,

v.

ORDER

Director of Support Activities DOSS,
United States Army,

Defendant.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Steven E. Rau dated March 17, 2011 (Docket No. 5). This case was removed from Dakota County District Court on February 22, 2011, and referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1. Magistrate Judge Rau subsequently entered an Order granting the parties’ stipulation to extend Defendant’s deadline to file an Answer to the Complaint. (Order of Feb. 28, 2011 (Docket No. 4).) Magistrate Judge Rau also ordered Plaintiff to retain counsel by March 14, 2011, because as a corporation Plaintiff may not proceed with a case pro se. (*Id.* at 1-2 (citing Carr Enters., Inc. v. United States, 698 F.2d 952, 953 (8th Cir. 1983); United States v. Van Stelton, 988 F.2d 70, 70 (8th Cir. 1993) (per curiam))).

After Plaintiff failed to meet the March 14, 2011, deadline to retain counsel, Magistrate Judge Rau entered the subject R&R recommending that Plaintiff’s case be dismissed without prejudice. Plaintiff has failed to file objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 5).

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R (Docket No. 5) is **ADOPTED**; and
2. This matter is **DISMISSED without prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Thursday, April 7, 2011

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge